



THE CITY OF SAN DIEGO

## CITIZENS' EQUAL OPPORTUNITY COMMISSION

### MEETING MINUTES

Wednesday, June 3, 2015

6:00 – 8:00 p.m.

City Administration Building

12<sup>th</sup> Floor Committee Room

202 C Street – 12th Floor

San Diego, CA 92101

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**CALL TO ORDER at:** 6:09 pm by Chair Laura Warner

#### ROLL CALL:

Laura Warner, Chair                      Rafael Perez  
Kristine Custodio, Vice Chair      Cynthia Suero-Gabler  
Susan Jester

#### EXCUSED:

Monte Jones      Dan Ortiz  
Jon Cloud  
Lan Jefferson

#### STAFF & GUESTS:

Lara Easton, Deputy City Attorney, Office of the City Attorney  
Joseph Sly, Senior Contract Compliance Officer, Equal Opportunity Contracting  
Henry Foster III, Program Manager, Equal Opportunity Contracting  
Claudia Abarca, Supervising Contract Compliance Officer, Equal Opportunity Contracting  
Christian Silva, Senior Contract Compliance Officer, Equal Opportunity Contracting  
Kymeshia Morris, Senior Contract Compliance Officer, Equal Opportunity Contracting

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**APPROVAL OF:**      Meeting Minutes of May 6, 2015  
                                 Minutes approved unanimously (5/0)

Chair Warner asked for the following revisions to be made to the May 6, 2015 CEOC minutes:

1. Original Comment: Commissioner Warner also expressed concerns regarding the implementation of a bonding program to help smaller primes and information regarding how much actual spend of City projects were awarded to certified firms.

Revised Comment: Commissioner Warner also asked about the implementation of a new bonding program to help smaller primes and information regarding how much actual spend of City projects were awarded to certified firms.

2. Original Comment: Commissioner Warner stated that she was really pleased with the presentation.

Revised Comment: Commissioner Warner congratulated Mr. Gakunga for getting PlanetBids established.

**Motion made by Commissioner Raphael Perez to approve modified May 6, 2015 meeting minutes. The motion was seconded by Commissioner Cynthia Suero-Gabler. Minutes approved unanimously.**

#### **ELECTION OF NEW CEOC VICE CHAIR:**

**Motion made by Commissioner Kristine Custodio to nominate self as Vice Chair.**

**Motion made by Commissioner Rafael Perez to nominate self as Vice Chair.**

Chair Warner requested a discussion regarding each candidate's qualifications. Each Commissioner was provided the opportunity to discuss why they felt that they should be elected as Vice Chair.

Chair Warner called a vote for the Vice Chair position.

The following votes were for Commission Custodio:

Chair Laura Warner  
Commissioner Kristine Custodio  
Commissioner Cynthia Suero-Gabler

The following votes were for Commissioner Rafael Perez:

Commissioner Rafael Perez  
Commissioner Susan Jester

**Commissioner Kristine Custodio was voted in as Vice Chair (3/2).**

#### **NON AGENDA PUBLIC COMMENT:**

None.

**DISCUSSION/ACTION ITEM: Lara Easton, Deputy City Attorney, Office of the City Attorney, Brown Act Overview**

Deputy City Attorney Lara Easton provided a presentation to the CEOC discussing the Brown Act and its applicability to the Commission. (Attachment A).

Ms. Easton opened her presentation by providing an overview of her background working as a Deputy City Attorney for the City of San Diego. Ms. Easton spent 5 years in the City's Criminal Division prosecuting criminal misdemeanor cases. She transferred to the Civil Advisory Division this past year and now provides legal counsel to Living Wage, Prevailing Wage, the CEOC, Gang Commission, and Communications Department.

Ms. Easton provided a background of the Brown Act and how the California Constitution and City of San Diego Charter reiterate the act. Ms. Easton discussed how the Brown Act requires all City of San Diego public agency meetings to be held open to the public, except closed sessions and ad hoc committees. The meeting is required to follow the prescribed agenda. The agenda must be posted 72 hours in advance of the meeting in the City of San Diego's City Administration Building corridor and posted online to the City's website. The agenda must state what is to be discussed under each listed item, what actions are under consideration, and if any CEQA determinations apply. Ms. Easton stressed the importance of the public being granted access to attend any scheduled meetings and provided the opportunity to make a non-agenda public comment. Ms. Easton discussed all applicable remedies that apply in the event the Commission fails to follow the Brown Act.

Commissioner Perez asked Ms. Easton what the required quorum would be if another Commissioner was added to the Committee.

Ms. Easton stated that if the Commission consists of 10 Commissioners, then the required quorum would be 6.

Commissioner Perez also inquired about the use of the phone bridge during CEOC meetings. In particular, he asked Ms. Easton that had Commissioner Lan Jefferson remained on the line during the voting of Vice Chair, would her vote be counted.

Ms. Easton stated that her vote would not have been counted nor would she be allowed to participate in the quorum.

**DISCUSSION/ACTION ITEM: Joseph Sly, Sr. Contract Compliance Officer, EOCP, Compliance Software User Overview**

The Equal Opportunity Contracting Program Sr. Contract Compliance Officer Joseph Sly, provided a compliance software user overview presentation to the CEOC (Attachment B). During the presentation, Mr. Sly educated the Commissioners on PRSIM and its compliance modules. In particular, Mr. Sly discussed the main functions of the vendor management module, compliance module, labor management module, workforce module, and outreach features.

Chair Warner asked whether PRISM would only be utilized for construction projects.

Mr. Sly responded that PRISM would be utilized for both construction and architecture and engineering projects.

Chair Warner also asked for clarification regarding how vendors sign up to register in PRISM.

Mr. Sly stated that vendors are to register in PlanetBids first and they would automatically be registered into PRISM. Upon following prompts to login to PRISM, the vendor would be provided the opportunity to complete his/her company's profile.

Chair Warner also asked if vendors were using PRISM labor management features.

Mr. Sly stated that several vendors are currently using the system for certified payroll reporting.

Commissioner Susan Jester asked who is tracking data that is being put into PRISM.

Mr. Foster stated that a contract compliance officer is assigned to monitor each contract.

#### **STAFF UPDATES: Christian Silva, Senior Contract Compliance Officer, Equal Opportunity Contracting (EOC) Program Update**

The Equal Opportunity Contracting Program Senior Contract Compliance Officer, Christian Silva, provided an update on the SLBE program, contracting updates, and PRISM training sessions (Attachment C).

Chair Warner asked who and how are vendors invited to workshops.

Mr. Foster stated that both PlanetBids and PRISM notifies vendors of upcoming workshops.

Commissioner Perez asked when the next deadline would be for the CEOC corner content submittal for the SLBE newsletter.

Mr. Foster will follow-up with Commissioner Perez.

#### **CHAIR ANNOUNCEMENTS:**

Chair Warner would like for the Commission to start planning the annual retreat for the next CEOC meeting. Chair Warner requested that a discussion action item regarding the retreat be listed for the next meeting.

#### **SUBCOMMITTEE REPORTS:**

- **Data Subcommittee**

The Data Subcommittee did not meet in May 2015. The Subcommittee provided an agenda for Commissioners to review that would be discussed at the June meeting.

The subcommittee would like a written response from Marshall Anderson, the Mayor's Policy Advisor, regarding a previous meeting held with the Commissioners discussing the need to

conduct a diversity study, and changing the municipal code regarding the Commission to include both women and disabled veterans.

Commissioner Susan Jester stated that she would like to join the Data Subcommittee.

- **Public Relations Subcommittee**

The Public Relations Subcommittee did not meet. Commissioner Perez (Subcommittee Chair) stated that Commissioners were unable to access the phone bridge and requested clarification on what number to dial in on.

EOC staff will follow-up.

Commissioner Perez extended an invitation for the new Commissioners to join the Public Relations Subcommittee.

Commissioner Suero-Gabler would also like to serve on the Subcommittee.

- **Bidding & Contracting Subcommittee**

Chair Warner (Subcommittee Chair) provided an update on new items the Subcommittee is working on. Chair Warner discussed developing quarterly goals and the Subcommittee's desire to review an update of the issues raised with the meeting the Commissioners had with the Mayor's Office regarding the disparity study.

Commissioner Jester stated that she would like to join the Subcommittee.

**ADJOURNMENT:** 8:05 pm

**NEXT MEETING:** July 1, 2015

**MATERIALS PROVIDED:**

- [Attachment A](#) – Brown Act Overview
- [Attachment B](#) - Compliance Software User Overview
- [Attachment C](#) – Equal Opportunity Contracting Program Update
- [Attachment E](#) – Bidding & Contracting Subcommittee Minutes